

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

DIRECTOR'S OFFICE

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August 14, 2006

Michael F. Gearheard, Director
Office of Water and Watersheds
US Environmental Protection Agency
1200 Sixth Avenue
Seattle, WA 98101

RE: Revisions to Alaska Water Quality Standards for dissolved oxygen criterion and analytical methods

Dear Mr. Gearheard:

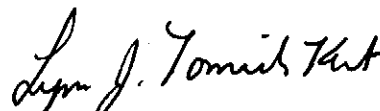
The Department of Environmental Conservation (DEC) recently adopted a change in its regulations and is submitting the change to the Environmental Protection Agency (EPA) for review. The change entails a repeal of the dissolved oxygen criterion for the seafood processing use and an update to analytical methods approved by EPA for Clean Water Act purposes. The regulation change was signed by Commissioner Kurt Fredriksson on May 3, 2006 and filed by Lieutenant Governor Leman on May 14, 2006. The requirements under this regulation became effective for State purposes on June 13, 2006.

Please find enclosed:

1. a copy of the final regulation in 18 AAC 70.020(b)(15) and 18 AAC 70.020(c)(2);
2. the adoption order signed by Commissioner Fredriksson and Lieutenant Governor Leman;
3. the May 8, 2006 memo from the Alaska Department of Law certifying the regulation; and
4. Frequently Asked Questions which details the technical justification for these changes.

If you have any questions, please contact me or Nancy Sonafrank at (907) 451-2726.

Sincerely,



Lynn J. Tomich Kent
Director

Enclosures

cc:

(w/enc): Janine Jennings, EPA R10
Lisa McGuire, EPA R10

[w/out enc]: Dan Easton, DEC Deputy Commissioner
Nancy Sonafrank, DEC Water/Fairbanks

18 AAC 70.020(b)(15) is amended to read:

Water Quality Standards for Designated Uses	
POLLUTANT & WATER USE	CRITERIA
(15) DISSOLVED GAS, FOR MARINE WATER USES	
(A) Water Supply (i) aquaculture	Surface dissolved oxygen (D.O.) concentration in coastal water may not be less than 6.0 mg/l for a depth of one meter except when natural conditions cause this value to be depressed. D.O. may not be reduced below 4 mg/l at any point beneath the surface. D.O. concentrations in estuaries and tidal tributaries may not be less than 5.0 mg/l except where natural conditions cause this value to be depressed. In no case may D.O. levels exceed 17 mg/l. The concentration of total dissolved gas may not exceed 110% of saturation at any point of sample collection.
(A) Water Supply (ii) seafood processing	Not applicable [D.O. MUST BE GREATER THAN OR EQUAL TO 5 MG/L].
(A) Water Supply (iii) industrial	Not applicable.
(B) Water Recreation (i) contact recreation	Same as (15)(A)(i).
(B) Water Recreation (ii) secondary recreation	Same as (15)(A)(i).
(C) Growth and Propagation of Fish, Shellfish, Other Aquatic Life, and Wildlife	Same as (15)(A)(i).
(D) Harvesting for Consumption of Raw Mollusks or Other Raw Aquatic Life	Same as (15)(A)(i).

